

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

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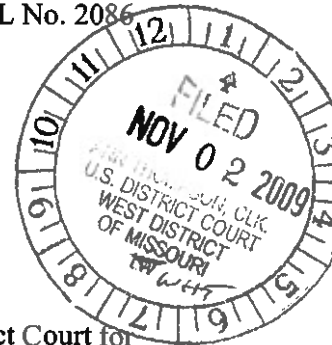
Oct 15, 2009  
FILED  
CLERK'S OFFICE

IN RE: PRE-FILLED PROPANE TANK MARKETING  
AND SALES PRACTICES LITIGATION

MDL No. 2086

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

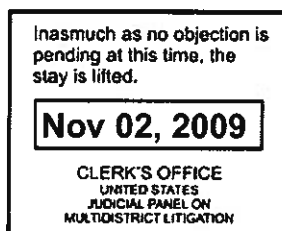


On October 6, 2009, the Panel transferred four civil actions to the United States District Court for the Western District of Missouri for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* F.Supp.2d. (J.P.M.L. 2009). With the consent of that court, all such actions have been assigned to the Honorable Gary A. Fenner.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Western District of Missouri and assigned to Judge Fenner.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Western District of Missouri for the reasons stated in the order of October 6, 2009, and, with the consent of that court, assigned to the Honorable Gary A. Fenner.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Western District of Missouri. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

Jeffery N. Lüthi  
Clerk of the Panel

I HEREBY ATTEST AND CERTIFY ON \_\_\_\_\_  
THAT THE FOREGOING DOCUMENT IS A FULL TRUE AND  
CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE  
AND IN MY LEGAL CUSTODY.

ANN THOMPSON  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI

BY DEPUTY

**IN RE: PRE-FILLED PROPANE TANK MARKETING  
AND SALES PRACTICES LITIGATION**

MDL No. 2086

**SCHEDULE CTO-1 - TAG-ALONG ACTIONS**

<u>DIST.</u>	<u>DIV.</u>	<u>C.A. #</u>	<u>CASE CAPTION</u>	
<b>CALIFORNIA CENTRAL</b>				
CAC	2	09-4649	Brian Border, et al. v. Blue Rhino Corp., et al.	09cv917
<b>CALIFORNIA NORTHERN</b>				
CAN	3	09-3093	Peter Yunis, et al. v. Ferrellgas, L.P., et al.	09cv918
<b>CALIFORNIA SOUTHERN</b>				
CAS	3	09-1871	Gary Kashefska v. AmeriGas Propane, Inc., et al.	09cv919
<b>FLORIDA MIDDLE</b>				
FLM	8	09-1374	Michael D'Aloia, et al. v. AmeriGas Propane, Inc., et al.	09cv920
<b>ILLINOIS NORTHERN</b>				
ILN	1	09-5682	Dennis Carroll, et al. v. AmeriGas Propane, Inc., et al.	09cv922
<b>KANSAS</b>				
KS	2	09-2410	Laora Fishman v. Ferrellgas, Inc., et al.	09cv923
KS	2	09-2412	J. Allen Downs, et al. v. Ferrellgas Partners, L.P., et al.	09cv924
KS	2	09-2436	Daniel D. Scholtec, et al. v. AmeriGas Propane, Inc., et al.	09cv925
KS	2	09-2442	Brett Steven Powell, et al. v. AmeriGas Propane, Inc., et al.	09cv926
<b>KENTUCKY WESTERN</b>				
KYW	3	09-756	Jason Brownstein, et al. v. AmeriGas Propane, L.P., et al.	09cv927
<b>MINNESOTA</b>				
MN	0	09-2407	Mark Rodgers v. Ferrellgas, L.P., et al.	09cv928
<b>PENNSYLVANIA EASTERN</b>				
PAE	2	09-3118	Bruce McIntyre v. AmeriGas Propane, Inc., et al.	09cv929